

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Gregg Blackstock

v.

Civil No. 04-cv-305-SM

NH State Prison, Warden

**ORDER and**  
**REPORT AND RECOMMENDATION**

Petitioner was ordered to exhaust state remedies and to advise the court of the status of his state case every ninety (90) days. He has failed to provide any status report since May 24, 2005. The stay is lifted and I recommend dismissal of the petition for inclusion of unexhausted claims.

Any objections to this report and recommendation must be filed within fourteen (14) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the district court's order. See Unauthorized Practice of Law Comm. v. Gordon, 979 F.2d 11, 13-14 (1st Cir. 1992); United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986).

  
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James R. Muirhead  
United States Magistrate Judge

Date: December 2, 2009

cc: Michael J. Sheehan, Esq.  
Laura E.B. Lombardi, Esq.